

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON NON-REVISION PTO 298
(ELECTION WAVE) CASES LISTED IN
EXHIBIT A TO PLAINTIFFS' NOTICE
OF ADOPTION

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSE
REGARDING CYNTHIA BERGMANN, M.D., FOR NON-REVISION PTO 298
(ELECTION WAVE)**

Plaintiffs filed a Notice of Adoption [Dkt. 7272] in the Election Wave cases identified in Exhibit A to their Notice adopting their Motion to Exclude Certain Opinions and Testimony of Cynthia Bergmann, M.D. and Supporting Memorandum from Ethicon Wave 1. Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to Cynthia Bergmann, M.D. for Ethicon Wave 1, Dkt. 2145. Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 1 response briefing.

Respectfully submitted,

/s/ William M. Gage

William M. Gage (MS Bar No. 8691)
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4561
william.gage@butlersnow.com

/s/ Susan M. Robinson

Susan M. Robinson (W. Va. Bar No. 5169)
Thomas Combs & Spann PLLC

300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 24338
(304) 414-1800
srobinson@tcspllc.com

Counsel for Defendants Ethicon, Inc.,
and Johnson & Johnson

CERTIFICATE OF SERVICE

I certify that on this day, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage
William M. Gage

45413128.v1